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14 and OTTOMOTTO LLC

15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17 SAN FRANCISCO DIVISION

18 WAYMO LLC,
19 Plaintiff,
20 v.
21 UBER TECHNOLOGIES, INC.,
22 OTTOMOTTO LLC; OTTO TRUCKING LLC,
23 Defendants.

Case No. 3:17-cv-00939-WHA

**DEFENDANTS' ADMINISTRATIVE
MOTION TO FILE UNDER SEAL
PORTIONS OF THEIR RESPONSE
TO COURT'S REQUESTS FOR LIST
OF FACTS OCCURRING AFTER
COMMENCEMENT OF TRIAL
THAT UBER PLANS TO PRESENT
TO THE JURY (DKT 784, ¶ 1)**

Pursuant to Civil Local Rules 7-11 and 79-5, Defendants Uber Technologies, Inc. and Ottomotto LLC (“Defendants”) submit this motion for an order to file under seal portions of their Response to Court’s Requests for List of Facts Occurring after Commencement of Trial that Uber Plans to Present to the Jury (Dkt 784, ¶ 1). Specifically, Defendants request an order granting leave to file under seal the confidential portions of the following documents:

Document	Portions to Be Filed Under Seal	Designating Party
Response to Court’s Requests for List of Facts (“List of Facts”)	Highlighted Portions	Plaintiff

The green-highlighted portions on pages 8-9 of the List of Facts contain technical information that has previously been designated by Waymo as either confidential or highly confidential. (Declaration of Michelle Yang in Support of Defendants’ Administrative Motion to File Documents Under Seal (“Yang Decl.”) ¶ 3.)

The blue-highlighted portions on page 14 of the List of Facts contain highly confidential information regarding Uber’s LiDAR development and business strategy. This highly confidential information is not publicly known, and its confidentiality is strictly maintained. This information could be used by competitors to Uber’s detriment to gain an advantage over Uber in LiDAR development and business strategy. For example, disclosure of this information, which contains Uber’s internal development timeline estimate, would allow competitors to understand Uber’s LiDAR development and business strategy, and allow them to tailor their own LiDAR development and business strategy. If such information were made public, Uber’s competitive standing could be significantly harmed. (Yang Decl. ¶ 4.)

Pursuant to Civil Local Rule 79-5(d)(2), Defendants will lodge with the Clerk the documents at issue, with accompanying chamber copies.

Defendants served Waymo with this Administrative Motion to File Documents Under Seal on July 10, 2017.

For the foregoing reasons, Defendants request that the Court enter the accompanying Proposed Order granting Defendants’ Administrative Motion to File Documents Under Seal and

1 designate the service copies of these documents as “HIGHLY CONFIDENTIAL –
2 ATTORNEYS’ EYES ONLY.”

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4 Dated: July 10, 2017

MORRISON & FOERSTER LLP

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6 By: /s/Arturo J. González
ARTURO J. GONZÁLEZ

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